

**NOTICE OF PROPOSED AMENDMENT TO THE RULES OF THE OFFICE OF SECRETARY
OF STATE, CHAPTER 590-9-4, *REGISTRATION OF CHARITABLE ORGANIZATIONS*, Rule
590-9-4-.01 *PREREQUISITES FOR CHARITABLE REGISTRATION***

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to O.C.G.A. § 50-13-1 *et seq.*, and by the authority of O.C.G.A. § 43-17-1 *et seq.*, the Secretary of State hereby gives notice of its intent to amend the Georgia Secretary of State Rule **590-9-4-.01, Prerequisites for Charitable Registration** (hereinafter "Rule").

A synopsis and main feature precede the proposed amendment to the Rule.

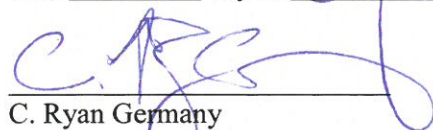
Written comments or request for oral comments to the Secretary of State must be received by the close of business on January 10, 2016. Please send all comments or request to:

Benjamin Martin
Office of the Georgia Secretary of State
2 Martin Luther King, Jr. Drive S.E.
West Tower Suite 313
Atlanta, GA 30334
EMAIL: bmartin@sos.ga.gov

The Secretary of State shall review all comments, may contact commenters to discuss their suggestions, and after the comment period has closed, intends on promulgating final rules. The Secretary of State will consider the proposed amendment for adoption at a public hearing at 10:00 a.m. on January 11, 2017 in Room 324 at the above address. At the public hearing, anyone may present data, make a statement, comment, or offer a viewpoint or argument whether orally or in writing. Lengthy statements of a recorded or considerable technical or economic nature, as well as previously recorded messages must be submitted for the official record. Oral statements should be concise and will be limited to five minutes per person. This notice, with an exact copy of the proposed amendment, is being distributed to all persons who have requested in writing that they be placed on the distribution list. A copy of this notice and an exact copy of the proposed amendment may be viewed during the normal business hours of 8:00 AM to 5:30 PM, Monday through Friday, except for official state holidays, at the Office of the Secretary of State, Securities Division, 2 Martin Luther King Drive, SE, Suite 313 West Tower, Atlanta, Georgia 30334. These documents will also be available for review on the Georgia Charities Division webpage at http://sos.ga.gov/index.php/securities/notice_of_proposed_rules_amendment. Copies may also be requested by contacting the Charities Division of the Office of Secretary of State at (404)-463-0344.

This notice is given in accordance with O.C.G.A. § 50-13-4.

This 7th day of December, 2016.


C. Ryan Germany
General Counsel

COPY OF THE PROPOSED RULE

Rule 590-9-4-.01 Prerequisites for Registration

- (1) General prerequisites. A charitable organization which intends to solicit or have contributions solicited in this state on its behalf shall, prior to any solicitation, file an effective registration statement with the Secretary of State on Form C100 or the Uniform Registration Statement and comply with the requirements of O.C.G.A. § 43-17-5.
- (2) Consent to Service of Process. To be registered as a charitable organization, an applicant must execute a consent to service of process on Form C100 provided by the Secretary of State and shall include the name of the authorized official.

Cite as Ga. Comp. R. & Regs. R. 590-9-4-.01

Authority: O.C.G.A. §§ 43-17-5, 43-17-10

**SYNOPSIS OF THE PROPOSED RULE AMENDMENT OF THE RULES OF THE
SECRETARY OF STATE, CHAPTER 590-9-4, *REGISTRATION OF CHARITABLE
ORGANIZATIONS*, RULE 590-9-4.01-.04, *PREQUISITES FOR REGISTRATION***

Purpose: The purpose of the amendment is to (a) streamline the registration process for charitable organizations, (b) allow charitable organizations to use the Uniform Registration Statement when registering, and (c) eliminate the requirement that the Form C100 be notarized by an official witness in order to more quickly approve the registrations of charitable organizations.

Main Features: The proposed amendment will modify the existing language such that the Form C100 Consent to Service of Process will no longer need to be notarized by an official witness.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS
OF THE RULES OF THE SECRETARY OF STATE, CHAPTER 590-9-4, *REGISTRATION OF
CHARITABLE ORGANIZATIONS*, RULE 590-9-4.01-.04, *PREQUISITES FOR REGISTRATION***

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

(1) General prerequisites. A charitable organization which intends to solicit or have contributions solicited in this state on its behalf shall, prior to any solicitation, file an effective registration statement with the Secretary of State on Form C100 or the Uniform Registration Statement and comply with the requirements of O.C.G.A. § 43-17-5.

(2) Consent to Service of Process. To be registered as a charitable organization, an applicant must execute a consent to service of process on Form C100 provided by the Secretary of State and shall ~~include:~~

~~—(a) — the name of the authorized official; and~~

~~(b) — notarization by an official witness.~~

Cite as Ga. Comp. R. & Regs. R. 590-9-4-.01

Authority: O.C.G.A. §§ 43-17-5, 43-17-10